

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

ROBERT BERG, On Behalf of Himself and All Others Similarly Situated,

Plaintiff,

v.

SPAN-AMERICA MEDICAL SYSTEMS, INC.,
JAMES D. FERGUSON, RICHARD C.
COGGINS, THOMAS F. GRADY, JR., DAN R.
LEE, THOMAS J. SULLIVAN, THOMAS D.
HENRION, LINDA D. NORMAN, ROBERT H.
DICK, TERRY ALLISON RAPPUHN,
SAVARIA CORPORATION, and SAVARIA
(SC) INC.,

Defendants.

Case No. 6:17-cv-01399-MGL

CLASS ACTION

DEMAND FOR JURY TRIAL

**STIPULATION AND ORDER CLOSING AND
TERMINATING THE ACTION**

WHEREAS, on July 11, 2017, the Court entered an Order dismissing without prejudice the complaint in the above-captioned action and retaining jurisdiction solely for considering any application for an award of attorneys' fees and expenses;

WHEREAS, the parties have reached agreement with respect to payment of attorneys' fees and expenses, in full satisfaction of any claims for attorneys' fees or expenses in the above-captioned action or in any of the following related actions: *Porter v. Span-America Medical Systems, Inc. et al.*, C.A. No. 6:17-cv-01357-MGL (D.S.C.) or *Pill v. Span-America Medical Systems, Inc., et al.*, C.A. No. 6:17-cv-01375-MGL (D.S.C.);

There being no further issue for the Court to consider, the Court, at the request of the parties, hereby issues the following order:

1. The above-captioned action is terminated and administratively closed, with the Court no longer retaining jurisdiction to consider any application for an award of attorneys' fees and expenses.

Dated: September 8, 2017

NEXSEN PRUET, LLC

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Dated: September 8, 2017

WYCHE P.A.

By: /s/ Wallace K. Lightsey
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SO ORDERED this 12th day of
September, 2017

s/Mary Geiger Lewis

THE HONORABLE MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE